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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/913,901	07/16/2002	Reijo Jokinen	TURPAT-5	8003

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EXAMINER

RAGONESE, ANDREA M

ART UNIT

PAPER NUMBER

3749

DATE MAILED: 08/11/2003

10

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	09/913,901		JOKINEN ET AL.	
	Examiner		Art Unit	
	Andrea M. Ragonese		3749	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 28-63 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 28-63 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>6,9</u> . | 6) <input type="checkbox"/> Other: |

DETAILED ACTION

Response to Amendment

1. The amendment filed on August 21, 2001 has been entered. Examiner acknowledges that **claims 1-27** (not **claims 1-29** as originally stated by Applicant) have been canceled and **claims 28-63** (not **claims 30-66** as originally stated by Applicant) have been added.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. **Claim 50** is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. **Claim 50** recites the limitation "said ejection nozzle" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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5. **Claims 28, 29, 31, 32, 35-41, 45-48, 51-53, 56-58 and 60-63** are rejected under 35 U.S.C. 102(b) as being anticipated by Thomas (US 4,359,827). Thomas discloses an apparatus in a drying section **20** of a paper machine and a method inherent in the use of the apparatus comprising:

- a drying section **20** having at least one drying cylinder **21** (column 9, line 67-column 10, line 7);
- a supporting fabric **19** (column 10, lines 27-37);
- a roll **18** (column 10, lines 37-44);
- means for conveying a web, as shown in Figure 2;
- means for guiding the web **15** (column 10, lines 8-26);
- means for creating a negative pressure **30** (column 10, lines 45-55);
- a lesser negative pressure **31, 33** (column 11, lines 16-21); and
- a control means (column 24, lines 39-64).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. **Claims 30, 33, 34, 54 and 55** are rejected under 35 U.S.C. 103(a) as being unpatentable over Thomas (US 4,359,827). Thomas teaches an apparatus in a drying section **20** of a paper machine and a method inherent in the use of the apparatus comprising all limitations recited in **claims 30, 33, 34, 54 and 55**, but does not expressly disclose the ranges of the pressure in the negative pressure regions or the distances that the negative pressure regions are situated from the disengaging point. At the time of the invention was made, it would have been obvious to one having ordinary skill in the art at the time the invention was made to optimize the most effective variables of the apparatus and the method inherent in its use to achieve optimal performance of the apparatus and its method in order to effectively dry the paper web. Therefore, it would have been obvious to modify the apparatus and its method of use of Thomas to obtain the invention as specified in **claims 30, 33, 34, 54 and 55** by utilizing the specific ranges as claimed in the instant application. See *In re Boesch and Slaney*, 205 USPQ 215 (CCPA 1980).

9. **Claims 42-44, 49 and 50** are rejected under 35 U.S.C. 103(a) as being unpatentable over Thomas (US 4,359,827) in view of Wedel (US 4,669,198). Thomas teaches an apparatus in a drying section **20** of a paper machine and a method inherent in the use of the apparatus comprising all limitations recited in **claims 42-44, 49 and 50**, with the exception of a blow box for generating negative pressure on the web. Wedel teaches the use of a blow box for generating negative pressure on a wet paper web in order to dry the web. It would have been obvious to one having ordinary skill in the art at the time the invention was made to substitute a blow box for a suction box in conjunction with the apparatus and its method of Thomas because, as taught by Wedel, it is well-known in the art to utilize blow boxes in order to create negative pressure on one side of a wet web in order to dry it.

10. **Claim 59** is rejected under 35 U.S.C. 103(a) as being unpatentable over Thomas (US 4,359,827). Thomas teaches an apparatus in a drying section **20** of a paper machine and a method inherent in the use of the apparatus comprising all limitations recited in **claim 59**, but does not expressly disclose a twin wire run. At the time of the invention was made, it would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize a twin wire run instead of a single wire run because Applicant has not disclosed that a twin wire run provides an advantage, is used for a particular purpose or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected Applicant's invention to perform equally well with a single wire run because it supports the web as it travels through the press and drying sections of the apparatus. Therefore, it would have been obvious to modify the

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apparatus and the method of use of Thomas to obtain the invention as specified in **claim 59**.

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Andrea M. Ragonese** whose telephone number is **(703) 306-4055**. The examiner can normally be reached on Monday through Thursday from 8 am until 4 pm ET.

12. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ira S. Lazarus can be reached on (703) 308-1935. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9302 for regular communications and (703) 872-9303 for After Final communications.

13. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0861.

amr
August 5, 2003


Ira S. Lazarus
Supervisory Patent Examiner
Group 3700